

2155#



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Edward A. Hubbard

Serial No.: 09/539,107

RECEIVED

Filed: March 30, 2000

MAR 02 2004

Group Art Unit: 2155

Technology Center 2100

Before the Examiner: Daryl R. Mastracci

Title: DISTRIBUTED BACK-UP SYSTEM AND
ASSOCIATED METHOD**AMENDMENT UNDER 37 C.F.R. § 1.111 TRANSMITTAL**

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

In connection with the above-identified patent application, Applicants transmit herewith the following: (1) Amendment Under 37 C.F.R. § 1.111; (2) Petition for Three-Month Extension; (3) Check in the amount of \$475.00 (Petition Fee); and (4) Acknowledgment postcard.

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 20, 2004.


 Signature

Serena Beller
 (Printed name of person certifying)

EXTENSION OF TERM

(a) Applicants petition for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d)) for the total number of months checked below:

Extension (months)	Fee for other than small entity	Fee for small entity
<input type="checkbox"/> one month	\$ 110.00	\$ 55.00
<input type="checkbox"/> two months	\$ 420.00	\$210.00
<input checked="" type="checkbox"/> three months	\$ 950.00	\$475.00
<input type="checkbox"/> four months	\$1,480.00	\$740.00
Fee		\$475.00

If an additional extension of time is required, please consider this a petition therefor.

(check and complete the next item, if applicable)

(b) An extension for _____ months has already been secured and the fee paid therefor of \$ _____ is deducted from the total fee due for the total months of extension now requested.
Extension fee due with this request \$ _____
or

Applicants believe that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicants have inadvertently overlooked the need for a petition and fee for extension of time.

FEE FOR CLAIMS

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	ADDITIONAL FEE
Total Claims:	10	-	24	0	x \$9 =	\$= -0-
Independent Claims:	3	-	3	0	x \$43 =	\$ -0-
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT				=		\$ -0-

FEE PAYMENT

Attached is a check in the sum of \$475.00 (Petition Fee).

Charge Deposit Account No. 23-2426 the sum of \$0 for a three-month extension.

FEE DEFICIENCY

If the check is missing, or if the claim fee and/or extension fee has been calculated incorrectly, the Assistant Commissioner is hereby authorized to charge any additional fee necessitated by the filing of the enclosed Amendment, or credit any overpayment, to Deposit Account No. 23-2426 (40988-P007US). A photocopy of this transmittal is attached.

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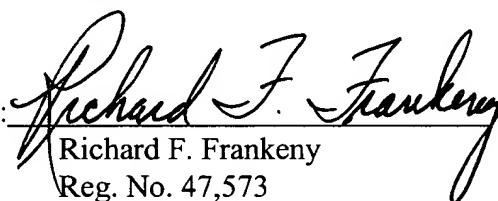
Respectfully submitted,

Technology Center 2100

WINSTEAD SECHREST & MINICK P.C.

Patent Agent and Attorney for Applicants

By:


Richard F. Frankeny
Reg. No. 47,573
Kelly K. Kordzik
Reg. No. 36,571

P.O. Box 50784
Dallas, Texas 75201
(512) 370-2872

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Title: DISTRIBUTED BACK-UP SYSTEM AND
ASSOCIATED METHODAMENDMENT UNDER 37 C.F.R. § 1.111

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action having a mailing date of September 08, 2003 (Paper No. 11), having a three-month shortened statutory period for response set to expire on December 8, 2003 and extended by a three-month extension to March 8, 2004, by the petition and fee filed herewith, please reconsider the rejections of the claims in view of the following remarks

CERTIFICATION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence (along with any item referred to as being enclosed herewith) is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 20, 2004.

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Signature

Serena Beller
(Printed name of person certifying)